UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF ILLINOIS

SHANNON RUMER,

   Plaintiff,

  v.   Case No. 09-cv-649-JPG

COMMISSIONER OF SOCIAL
SECURITY, *Michael J. Astrue*,

   Defendant.

MEMORANDUM AND ORDER

This matter comes before the Court on the Report and Recommendation ("R&R") (Doc. 20) of Magistrate Judge Philip M. Frazier, wherein Magistrate Judge Frazier recommends that the Court affirm the Commissioner of Social Security's final decision. Said decision denied disability insurance benefits and supplemental security income payments to Plaintiff Shannon Rumer. The time for objections to the R&R has passed, yet none have been filed.

After reviewing a magistrate judge's report and recommendation, the Court may accept, reject, or modify, in whole or in part, the findings or recommendations of the magistrate judge in the report. Fed. R. Civ. P. 72(b). The Court must review *de novo* the portions of the report to which objections are made. The Court has discretion to conduct a new hearing and may consider the record before the magistrate judge anew or receive any further evidence deemed necessary. *Id.* "If no objection or only partial objection is made, the district court judge reviews those unobjected portions for clear error." *Johnson v. Zema Sys. Corp.*, 170 F.3d 734, 739 (7th Cir. 1999).

Here, as aforementioned, the Court has received no objections to the R&R. The Court has reviewed the entire file and finds that the R&R is not clearly erroneous. All the Court would

add is that Dr. Bordieri's 2000 diagnosis of "Borderline Intellectual Functioning" (Tr. 259)

further supported the Administrative Law Judge's finding that Rumer could adaptively function

prior to her 22nd birthday.

Accordingly, the Court **ADOPTS** the R&R (Doc. 20) **in its entirety**, whereby the Court

AFFIRMS the Commissioner of Social Security's denial of benefits. Further, the Court

DIRECTS the Clerk of Court to enter judgment accordingly.

IT IS SO ORDERED.
DATED: May 14, 2010

s/ J. Phil Gilbert
J. PHIL GILBERT
DISTRICT JUDGE